

APPROVED: Meeting No. 10-84

ATTEST:

Helen M. Heneghan

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
MEETING NO. 8-84

March 26, 1984

The Mayor and Council of Rockville, Maryland, convened in general session in the Council Chamber, Rockville City Hall, Maryland at Vinson Street, Rockville, Maryland, on Monday, March 26, 1984, at 8:00 p.m.

PRESENT

Mayor John R. Freeland

Councilman Steve Abrams

Councilman Douglas Duncan

Councilwoman Viola Hovsepian

Councilman John Tynor

The Mayor in the Chair.

In attendance: City Manager Larry Blick; City Clerk Helen Heneghan; City Attorney Paul Glasgow.

Re: City Manager's Report

Mr. Blick reported the following:

1. Staff met with citizens of South Adams Street to review the location and parking restrictions for the proposed speed hump project. The group has yet to complete its petition for the project but they should reach some decision soon.
2. Today the Planning Department received additional materials from the applicant to support the use permit for renovation of the Commons. If the information is complete, the use permit will be considered by the Planning Commission on April 4. Eisinger/Kilbane, will provide a briefing on their renovation plan at 8 o'clock. Members of the Mayor and Council are invited to attend.
3. At a special meeting on March 16, the Mayor and Council approved the sale of a \$13 million bond issue at a net interest rate of 9.38 percent which is very favorable. At this time the bond buyer index has risen to 10.01 percent.
4. As of March 25, 200 annual memberships to the Municipal Swim Center have been sold as compared to 53 last year. Forty were sold over the grand opening weekend alone and the year to date has 292 memberships ahead of last year.
5. This Thursday at 7:30 the State Highway Administration, the Planning Commission, the Traffic and Transportation Commission and the Mayor and Council will meet in the Council Chamber at 7:30 p.m. to discuss the I-270 widening project. All civic association impacted by the project have been notified and invited to attend.

6. Ron Olson, Director of Recreation and Parks, has been elected President Elect of the Maryland Recreation and Parks Association. This group is affiliated with the National Recreation and Park Association and works for better recreation and park services throughout the Country.

7. The anti-false alarm ordinance of the County went into effect March 1 and the first list of violators will be forthcoming on April 15.

Mayor Freeland said the City's bond issue procedure this year was unique because of the excellent interest rate. Hundreds of thousands of dollars have been saved over a period of 18 years. The City has been highly complimented for the process. The Mayor and Council congratulated Ron Olson on his election.

Re: Appointments

Senior Citizens Commission: Frances Crutchfield - reappointed - three year term

Energy Commission: Steven Albersheim - reappointed - two year term
- appointed - one year term as Chairman

Jake Plante - appointed - two year term
709 Harrington Road

Al Herner - appointed - two year term
1921 Rockland Avenue

Cultural Arts Commission: Eileen Mader - reappointed - two year term

Councilman Tyner said he is most delighted with the expertise on the Boards and Commissions.

Re: Correspondence

The Mayor and Council noted the following items of correspondence:

1. J. Gegan, Rockville Housing Authority, re budget request

Councilman Duncan said he was pleased that the Housing Authority took the Mayor and Council up on their offer and will be giving budget details.

2. WECA, re I-270
E.M. Kropp, re I-270
3. Councilwoman Gelman, re baling
4. Rev. M. Kaseman, re REAP

Councilman Tyner suggested this be discussed during the budget session.

5. Robert Woods, re sale of church property

Re: Citizen's Forum

The Mayor opened the meeting to those citizens who wished to address the Mayor and Council.

1. Duncan Murrell, 5126 Russell Road, Rockville. Mr. Murrell, a member of the Montrose 4H Club asked the Mayor and Council to proclaim Colgate Help Young America Week. He introduced other members of the club who brought with them a rabbit and a bird and told of the activity the group had been involved in through the People

Animals Love (PAL) program, in which birds and other animals are placed as companions in hospitals, nursing homes, hospices, schools for the handicapped and with the elderly. The 4H club has already worked more than 900 hours on this program. Councilwoman Hovsepian commented it is a most worthwhile program and the Mayor said the proclamation would be issued at the next meeting.

2. Nick Marica, Rockville Jaycees. Mr. Marica told the Mayor and Council that the Rockville Jaycees are putting together a board game of Rockville and asked the City's help. The City would purchase one of the Board's squares. The game will be retailed at \$12. It will help the Jaycees in their project of working with the Special Olympics. The Mayor and Council agreed it is a good idea to support this program.

3. Arlene Simons, Carr Avenue. Ms. Simons told the Mayor and Council that the Jaycees nationally exclude women and the City of Rockville might want to reconsider supporting an effort that discriminates against women. Councilman Duncan noted that the Rockville Jaycees welcome women into their club, although he is aware that nationally there is this problem.

4. Sima Osdoby, 2 Stevenage Circle. Ms. Osdoby addressed the Mayor and Council about the widening of I-270. It will seriously impact those living by it and the massive expansion is in opposition to the goals of citizens causing pollution problem among other things. She said she is not aware of a solution, but something must be done and the meeting with the State Highway Administration is too little too late.

Mayor Freeland said a carefully implemented plan is what is necessary to solve this problem. He encouraged Ms. Osdoby's participation in the process.

5. Bob Hackman, 223 West Edmonston Drive. Mr. Hackman showed photographs of the hydrant problem that exists in front of his house where the hydrant sits. He would like to have it moved 27 feet so that he can park in front of his own home as other citizens are allowed to do. He has a problem with the City Manager's memorandum that says the City will not pay for this.

6. Jerome Leszkiewicz, Woodley Gardens Homeowners Association. Mr. Leszkiewicz said there may be a very large crowd this Thursday evening at the State Highway Administration meeting and he suggests that provisions be made to accommodate this through extra speakers, chairs, etc. The City Manager said that is being taken care of.

7. Mansfield Kaseman, 704 Carter Road. Rev. Kaseman addressed the Mayor and Council concerning item no. 31 on the agenda which is a request for funds to support a study of the sale of Summit Apartments. He said contrary to the staff's

recommendation, it could be a large help to all and it should be done by a non-profit organization such as the Community Housing Resources Board. Councilman Abrams asked what other funds would be used for this. Rev. Kaseman said Montgomery County has agreed to funding but they will do nothing unless Rockville initiates the program.

The Mayor thanked Rev. Kaseman for his comments.

There being no other citizen wishing to be heard, the Mayor closed the citizen's forum portion of the meeting.

Re: Annual Report of
Rockville Housing Authority

Jeryl Gegan, Chairman of the Rockville Housing Authority, submitted the Annual Report of the Housing Authority for Fiscal Year 1982-83. It listed the accomplishments and goals of the Authority. Mr. Gegan introduced Authority members Jan Brown and Al Mohorn, present in the audience. He highlighted what has been done to modernize the projects, both Lincoln Terrace and David Scull through exterior improvements. He noted the Authority plans to continue its close work with the Human Rights Commission. He thanked the City staff, Parks and Recreation, Community Resources, Community Development, particularly Mr. Horne and Mr. Duffy, the Licenses and Inspection Department, the Vehicle Maintenance Garage, Graphics Department and the Mayor and Council themselves, for the tremendous cooperation. Councilwoman Hovsepian asked if work is now being done with the tenants in addition to improvement to the facilities. Mr. Gegan said the handbook was recently issued and they are using video tapes to help train many of the tenants. Councilman Tyner congratulated Mr. Gegan. He said the Housing Authority and the Human Rights Commission working together has erased many of the previous perceptions and allayed the people's fears. Many of the tenants feel a sympathetic ear will be extend to them when they do have a problem. The Mayor and Council thanked Mr. Gegan and the Authority for all their efforts on behalf of the City.

Re: Adoption of Ordinance:
To set stipend for Mayor
and Councilmembers at
\$8000 and \$6000 respectively

Ordinance No. 7-84

On motion of Councilman Tyner, duly seconded and unanimously passed, the ordinance was amended to include the following words: "this ordinance shall take effect when the next Mayor and Council are sworn into office".

On motion of Councilwoman Hovsepian, duly seconded and unanimously passed, Ordinance No. 7-84, the full text of which can be found in Ordinance Book No. 12 of the Mayor and Council setting a stipend at \$8000 and \$6000, was adopted by the Mayor and Council.

Re: Adoption of Ordinance: To
Revise and Amend
appropriations Ordinance
No. 7-83 for FY 83

Ordinance No. 8-84

On motion of Councilman Duncan, duly seconded and unanimously passed, the Ordinance was amended to include the underlined items.

On motion of Councilman Tyner, duly seconded and unanimously passed, Ordinance No. 8-84, the full text of which can be found in Ordinance Book No. 12 of the Mayor and Council, revising and amending the Appropriations Ordinance for FY 83, was adopted as amended.

Re: Adoption of Ordinance: To
Revise and Amend
Appropriations Ordinance
No. 24-83, for FY 84

Ordinance No. 9-84

On motion of Councilman Duncan, duly seconded and unanimously passed, the Ordinance was amended.

On motion of Councilman Duncan, duly seconded and unanimously passed, Ordinance No. 9-84, the full text of which can be found in Ordinance Book No. 12 of the Mayor and Council, revising and amending the appropriations Ordinance for FY 84, was adopted as amended.

Re: Adoption of Resolution:
To enlarge the Corporate
Boundaries of the City to
include 0.45 acres of
land, on the north side of
Southlawn Lane,
Application X-88-83, Mayor
and Council of Rockville,
Maryland, Applicant

Resolution No. 6-84

On motion of Councilman Abrams, duly seconded and unanimously passed, Resolution No. 6-84, the full text of which can be found in Resolution Book No. 7 of the Mayor and Council, enlarging the corporate boundaries of the City to include 0.45 acres of land on the north side of Southlawn Lane, was adopted by the Mayor and Council.

Re: Introduction of Ordinance:
To amend zoning map by
adding .45 acres of land,
X-88-83, Dustin, Quinn, et
al

On motion of Councilman Abrams, there was introduced upon the table, an ordinance to amend the zoning map by adding 0.45 acres of land on the north side of Southlawn Lane, said ordinance to lay over one week before final action is taken.

Re: Adoption of Resolution:
To enlarge the corporate
boundaries of the City to
include 1.175 acres of
land, more or less, on
Rothgeb Drive, X-89-83,
Mayor and Council of
Rockville, Applicant

Resolution No. 7-84

On motion of Councilman Duncan, duly seconded and unanimously passed, Resolution No. 7-84, the full text of which can be found in Resolution Book No. 7 of the Mayor and Council, enlarging the corporate boundaries of the City to include 1.175 acres of land on Rothgeb Drive, was adopted by the Mayor and Council.

Re: Introduction of Ordinance:
To amend the zoning map to
include 1.175 acres of
land, more or less, on
Rothgeb Drive, X-89-83,
Curry

On motion of Councilman Tyner, there was introduced upon the table, an ordinance to amend the zoning map of the City by including 1.175 acres of land on Rothgeb Drive, said ordinance to lay over one week before final action is taken.

Re: Adoption of Resolution:
To enlarge the corporate
boundaries of the City to
include 7.99904 acres of
land, more or less, on the
north side of Hectic Hill
Lane, X-90-83, Mayor and
Council of Rockville,
Applicant

Re: Introduction of Ordinance:
To amend the zoning map of
the City by adding 7.99904
acres of land, X-90-83,
Gude, Voegtly

Mayor Freeland announced that the adoption of Resolution for Annexation X-90-83 is being withdrawn this evening and is turned over to the City Attorney in order that he may come to an equitable arrangement between the City and the property owners. At that time it will be returned to the Mayor and Council's agenda. Councilman Abrams suggested a solution be reached similar to the one reached with the Thomases.

Re: Adoption of Resolution:
To enlarge the corporate
boundaries of the City to
include 0.3453 acres of
land, more or less, on
Seven Locks Road, X-91-83,
Mayor and Council of
Rockville, Applicant

Resolution No. 8-84

On motion of Councilman Abrams, duly seconded and unanimously passed, Resolution No. 8-84, the full text of which can be found in Resolution Book No. 7 of the Mayor

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and Council, enlarging the corporate boundaries of the City to include 0.3453 acres of land on Seven Locks Road, was adopted by the Mayor and Council.

Re: Adoption of Resolution:
To enlarge the corporate boundaries of the City to include 0.5317 acres of land, more or less, on the east side of Avery Road, X-92-83, Mayor and Council, Applicant

Resolution No. 9-84

On motion of Councilman Tyner, duly seconded and unanimously passed, Resolution No. 9-84, the full text of which can be found in Resolution Book No. 7 of the Mayor and Council, enlarging the corporate boundaries of the City to include 0.5317 acres of land on the east side of Avery Road, was adopted by the Mayor and Council.

Re: Introduction of Ordinance:
To amend zoning map to include 0.5317 acres of land, X-92-83, Brown, Johnson, et al.

On motion of Councilman Duncan, there was introduced upon the table, an ordinance to amend the zoning map of the City to include 0.5317 acres of land, said ordinance to lay over one week before final action is taken.

Re: Decision and Instructions to staff re enlarging the corporate boundaries of the City to include 1.0823 acres of land on the north side of Southlawn Lane and North Horners Lane, X-94-83, J.B. & Co., Applicant

On motion of Councilman Tyner, duly seconded and unanimously passed, staff was instructed to prepare the necessary legal documentation to annex by contract with conditions recommended by the staff and appropriate zoning.

Re: Approval of Testimony before County Council on Board of Education FY 85 Budget

This is testimony prepared by the Education Advisory Commission to be presented to the County Council on the Board of Education FY 85 Operating Budget. Mr. Charles Haughey of the Education Commission addressed the Mayor and Council and highlighted the three issues. The first is the expansion of a seven period day, the second the program of English for students of other languages, the third, an inclusion of a teacher specialist in vocational education to evaluate the expansion of vocation opportunities for Area 2 and 3 students. Councilwoman Hovsepian suggested the testimony stress more strongly the vocational opportunities. The Mayor and Council agreed. The Mayor suggested it be stressed orally when the testimony is delivered.

Re: Award of Contract: Bid
No. 37-84, Refuse Trucks

As part of the Vehicle Replacement Program, Bid No. 37-84 was opened on March 7, 1984, at 3:00 p.m. The purpose of this bid was to provide vehicles for those units scheduled for replacement. The bid was structured to enable a vendor to bid on the complete vehicle (chassis and body) or on the chassis and on the body separately. The tabulation of each bid shows the low conforming bid first.

Chassis only, two to be supplied

<u>Vendor</u>	<u>Base Bid</u>	<u>Total Bid</u>
1. Chesapeake Ford Truck Sales, Inc. 8540 Pulaski Highway Baltimore, Maryland	\$31,000.00	<u>\$62,000.00</u> (low bid)
2. District International Trucks, Inc. P.O. Box 389 Hyattsville, Maryland 20781	\$31,790.00	\$63,580.00
3. Jacobs Ford Truck Sales, Inc. 8300 Ardwick-Ardmore Road P.O. Box 1395 Landover, Maryland 20785	\$33,798.37	\$67,596.74

Body only, two to be supplied

<u>Vendor</u>	<u>Unit Price</u>	<u>Total Bid</u>
1. Hico Equipment Inc. P.O. Box 548 Bel Air, Maryland 21014	\$13,080.00	<u>\$26,160.00</u> (Low Bid)
2. Waddle Truck Equipment, Inc. 3607 O'Donnell Street Baltimore, Maryland 21224	\$13,192.00	\$26,384.00
3. Wilbar Truck Equipment, Inc. 8100 Alban Road Springfield, Virginia 21150	\$13,879.00	\$27,758.00
4. Truck Equipment Bush & Hamburg Street Baltimore, Maryland 21230	\$16,371.00	\$33,742.00

A non-conforming bid was received from Central GMC, Inc., 3801 Ironwood Place, Landover, Maryland 20785. The total chassis bid price was \$60,568 and the total bid for combined chassis and body was \$88,326. Central GMC took exception to two crucial items in the specification as follows:

1. Single Horizontal exhaust

Bid States: "The intent of the following specification is to provide the ~~needed clearances~~ for the installation of the PIG and hydraulic pump. The exhaust for a V8 diesel shall be a dual system with the front of the mufflers located a minimum of 30 inches behind the tail-shaft of the transmission."

2. Combination capacity of rear main and auxiliary spring is 13,764 lbs. per side.

Bid States: "The rear springs shall be a minimum of 13,000 lbs. each for the ~~main~~ springs with 2,250 lbs. auxiliary springs on each side at the pad."

The best interests of the City would not be served by accepting the low bid of Central GMC because:

1. The requirement for the dual exhaust provides clearance for servicing the PTO and hydraulic pump, clearance for servicing and removing the automatic transmission, more space between the exhaust and the cab, and improved engine performance.

The single exhaust is provided by the manufacturer and Central GMC decided not to go to the expense of providing the dual exhaust as specified; and

2. The requirement for the ear main spring of 13,000 lbs. with a 2,250 lbs. auxiliary spring (15,250 lbs. total) is the result of experience with failure of lighter springs because of the constant stop and go operation. This again, would require Central GMC to provide the larger springs and probably increase their cost.

The budgeted amount of \$97,800 will not be exceeded. The current low bid of \$88,160 is only 1% more than the low bid on comparable equipment last year (\$87,284). Staff recommends that the following awards be made:

1. To Chesapeake Ford Sales, Inc., in the amount of \$62,000 for two chassis in accordance with specifications; and
2. To Hico Equipment, Inc., in the amount of \$26,160 for two bodies in accordance with specifications.

On motion of Councilwoman Hovsepian, duly seconded and unanimously passed, Bid No. 37-84 was awarded to Chesapeake Ford Truck Sales, Inc., in the amount of \$62,000 for two chassis and to Hico Equipment in the amount of \$26,160.00 for two bodies due to the fact that the staff determined those to be the lowest, responsible bidders.

Re: Resolution: To provide
for an Advisory Referendum

Resolution No. 10-84

On motion of Councilman Duncan, duly seconded and unanimously passed, Resolution No. 10-84, the full text of which can be found in Resolution Book No. 7 of the Mayor and Council, approving an advisory referendum of the voters, was adopted.

Re: Recommendations on the
process for approving the
design and location of
Ritchie Parkway

The Mayor and Council were provided with information items giving the status of the Ritchie Parkway project. The following points were made:

1. Project decisions will be made exclusively by the City sound engineering and safety practices will be met.
2. The formal public hearing on design and location will be conducted by the Mayor and Council in September 1984. The MSHA will be present to answer questions and to satisfy State and Federal Requirements

3. Following the formal public hearing and closing of the record, the Mayor and Council will decide on the final alignment and project design and submit its decision to the State and Federal Highway Administration for their concurrence.
4. Following location and design approval, the City will proceed with the selection of a consultant (December, 1984) for final design and special assessment public hearing (February, 1985).

Councilman Tyner asked that materials presented this evening be distributed to all neighborhood associations and people who expressed an interest in the project. The City Manager said a Newsletter article would be prepared and streamline materials delivered. Councilman Tyner disagreed and asked all information given to the Council this evening be sent as is.

On motion of Councilman Abrams, duly seconded and unanimously passed, the steps recommended by the staff were approved by the Mayor and Council.

Re: Decision and Instructions
to staff re Street Closing
Application, SCA-42-83,
Ritchie Parkway, Harry
Lerch, Applicant

The Director of Public Works and the staff from the Planning Department have previously recommended that the subject abandonment application for a portion of the Ritchie Parkway right of way be denied.

Councilman Duncan noted that although a request for withdrawal was made, a research of the records showed that once previously a withdrawal request was honored when it was made before the close of the public hearing. This would seem to be a good policy and one he would like to see adopted by the Mayor and Council and continued in the future unless there are extreme circumstances. Councilman Abrams asked for an explanation of the implications of both withdrawal and denial. The City Attorney pointed out that anytime an application is denied it sets a starting point, so that when other applications are considered a decision must be made on what has taken place between the time of denial and the new application. Councilwoman Hovsepien felt no action should be taken on abandoning this right of way until Ritchie Parkway is built.

On motion of Councilman Tyner, duly seconded and unanimously passed, the staff was instructed to draw up the necessary legal documentation to deny.

Re: Resolution: To deny Map
Amendment Applications, M-
35-83 and M-36-83, Waters
and Clark, 101 S. Van
Buren Street, Applicants

Resolution No. 11-84

Councilman Abrams moved to grant the applicants request to withdraw the applications. The motion died for lack of a second. Councilman Tyner said the applicant

has spent money on this request but a good deal of staff time and money has been spent. In order to preserve the integrity of the process it should be carried through to completion.

Councilman Abrams said his comments, when the application was originally denied dealt with the cumulative effect. He said he can agree with the policy allowing for withdrawal unless circumstances dictate otherwise. Councilman Duncan said his specific concern surfaces when, after a decision is made to deny an application, a last minute withdrawal presents a bad policy and he would not like to see it carried out. Councilman Tyner commented that the erosion in that neighborhood must be stemmed. Mayor Freeland disagreed and said the West End's integrity has been maintained. The problem here is a unique piece of property and the City is relinquishing control. It can be purchased by someone now and used fully to the detriment of the neighborhood. He would hope that does not happen but he sees it as a distinct possibility. He plans to vote against the motion and hopes that the building does not become an eyesore. It has never been his feeling that the building infringes on the beauty of the West End.

On motion of Councilman Tyner, duly seconded and passed, Councilmembers Duncan, Hovsepian and Tyner voting aye, Mayor Freeland and Councilman Abrams voting nay, the applications to rezone, Map Amendment Nos. M-35-83 and M-36-83, were denied by the Mayor and Council.

Re: Request for waiver of on-site storm water management: a) Congressional North b) 1151 Taft Street

a) Congressional North

This site, located at 1599 Rockville Pike in the Congressional North Shopping Center, has a gross area of 1.382 acres. It is located at the northwest corner of Congressional Lane and Rockville Pike near the end of a row of stores in the Cabin John drainage area.

While an underground metal pipe SWM system could be used, it is found that such underground structures are difficult to maintain and inspect, and their longevity and effectiveness are questionable.

Staff recommends that the City waive the on-site SWM requirement for the subject lot and accept a contribution of \$16,584 (1.382 @ \$12,000) toward the public SWM program, subject to concurrence by MSCD.

On motion of Councilman Duncan, duly seconded and unanimously passed, the on-site SWM requirements were waived and a contribution of \$16,584 was accepted.

b) 1151 Taft Street

This site located at 1151 Taft Street has a small steep green space and is surrounded by buildings and paving in an industrial area within the Rock Creek drainage area.

The plan is very cramped and the site is not conducive to on-site SWM.

Storm drain inlets on the adjacent lot can convey the additional runoff, which is less than 2 cfs, to the City's public storm drain system which leads the regional storm water management structure in Northeast Park. This regional structure manages flows coming in at 196 cfs and releases them at 40 cfs. When constructed in 1973, the City anticipated development such as this.

It is recommended that the City waive the on-site SWM requirement and accept a contribution of \$5,160 (.43 acre @ \$12,000) toward our public SWM program, subject to concurrence by the Montgomery Soil Conservation District.

On motion of Councilman Duncan, duly seconded and unanimously passed, approval was given for waiver of on-site SWM requirements and a contribution of \$5,160 was accepted.

Re: Resolution: To lower fee accompanying requests for storm water management waivers where detailed studies are not required by Montgomery Soil Conservation District

Resolution No. 12-84

On motion of Councilman Duncan, duly seconded and unanimously passed, Resolution No. 12-84, the full text of which can be found in Resolution Book No. 7 of the Mayor and Council lowering fees accompanying requests for storm water management waivers where detailed studies are not required by Montgomery Soil Conservation District, was adopted by the Mayor and Council.

Re: Resolution: To approve a request for a waiver of Section 7-1.06f of the Road Code Requirements to allow construction of one-half the normal width of Gaither Road.

Resolution No. 13-84

On motion of Councilman Abrams, duly seconded and unanimously passed, Resolution No. 13-84, the full text of which can be found in Resolution Book No. 7 of the Mayor and Council, approving a request for a waiver of Section 7-1.06f of the Road Code, was adopted by the Mayor and Council.

Re: Award of Bid: Removal of
Mall Ramp

Bids were opened at 3:00 p.m. Thursday, March 15, 1984, in the Boards and Commissions Room of City Hall, for the removal and disposal of the Route 355 direct access ramp.

The project consists of two phases. This contract covers the first phase, the removal of the ramp, which will be paid for from the City's General Fund account. The second phase, which will be constructed under a separate contract, is for the restoration and improvement of the roadway at the ramp area. The second phase (design and construction) will be handled by City staff but paid for on a reimbursement basis by the Maryland State Highway Administration (SHA).

Staff has coordinated the project with the mall developer. The current contract provides for completion of the demolition work by June 1, 1984, well ahead of the originally projected schedule, and therefore will ensure that there is no conflict with the mall developer's schedule. The cooperation of the MSHA during the plan review and permitting process resulted in a much faster turnaround time than originally anticipated. The phase two work is projected for completion by October 1, 1984.

Twenty-three contract documents were picked up by contractors and eight bids were received as follows:

1. United Rigging & Hauling, Beltsville, Maryland	\$ 71,920
2. Ace Wrecking, Rockville, Maryland	72,314
3. Palmerio Construction, Rockville, Maryland	108,000
4. Wrecking Corporation of America, Alexandria, Virginia	118,000
5. A. J. Ellis Contractor, College Park, Maryland	156,000
6. Millonig Corporation, Bethesda, Maryland	168,000
7. Cherry Hill Sand & Gravel, Jessup, Maryland	171,266
8. Concrete General, Gaithersburg, Maryland	279,000
City Appropriation	\$130,000
Engineer's Estimate	\$120,000

The difference in the low bid and the engineer's estimate is accounted for by two major factors. The staff made no allowance for material salvage value because this factor varies widely, depending on specific bidders. Secondly, the keen competition as indicated by the total number of bidders picking up the bid package resulted in extremely favorable bids.

United Rigging and Hauling, Inc., the low bidder, is an experienced demolition contractor, having been in business in the Washington Metro area for 15 years. They have done considerable work for Potomac Electric Power Company who has given them a very high rating. They are qualified to perform this work.

It is recommended that the contract be awarded to the low bidder, United Rigging and Hauling, Inc., in the amount of their bid of \$71,920.00.

The Mayor stepped down from the Chair and Councilman Tyner became Mayor pro-tem. On motion of Mayor Freeland, duly seconded and unanimously passed, Bid No. 44-84, demolition of the Mall ramp was awarded to United Rigging and Hauling in the amount of \$71,920.

Re: Discussion of Draft long-range Information Systems Plan

John Lawton addressed the Council and provided a history of the City's information systems effort and outlined priorities for the future. The plan, he explained, provides alternatives for achieving the goals and the objectives the Council has set for Information Systems. The plan is a flexible one and will permit the selection of alternatives based on costs and benefits at the time decisions about specific systems are made. Councilman Tyner asked if the staff will be looking into variable utility billing. Mr. Lawton said that is one of the things being asked for in the specifications. The Mayor and Council approved the long-range Information Systems plan as submitted.

Re: Award of Contract: To lease/purchase computer terminal and equipment

The following is the list of required items:

<u>Required By</u>	<u>Type</u>	<u>No.</u>	<u>Unit Cost</u>	<u>Total Cost</u>
Finance Dept.	Termanials/Micro			
Payroll	2622A	2	\$1,723.80	\$3,447.60
Accounts Payable	2622A	1	\$1,723.80	\$1,723.80
Accountants	2382A	2	\$1,341.60	\$2,683.20
Utility Billing	2622A	3	\$1,723.80	\$5,171.40
Asst. To Director	2382A	1	\$1,341.60	\$1,341.60
Sec./Staff*	HP 150	1	\$2,916.35	\$2,916.35
Microcomp. Spec.	HP 150	1	\$2,916.35	\$2,916.35
Info. Sys. Staff	HP 150	1	\$2,916.35	\$2,916.35
Recreation	2382A	1	\$1,341.60	\$1,341.60
	2622A	2	\$1,723.80	\$3,447.60
L&I	2382A	1	\$1,341.60	\$1,341.60
Public Works	2622	1	\$1,723.80	\$1,723.80
	Wheel Printer	1	\$2,534.40	\$2,534.40

*The HP 125 now being used by the secretary and staff in the Finance Department will be placed in the Purchasing Department.

The following items are required for systems to run on the HP 3000.

Hardware Items:				
Disc Drive	7933H	1	\$21,181.60	\$21,181.60
1 M-bye Memory	30161	1	\$ 9,960.00	\$ 9,960.00
Ports	30145A	12	\$ 451.66	\$ 5,419.92
Software Items:				
Cobol		1	\$ 2,075.00	\$ 2,075.00
SPL		1	\$ 1,141.26	\$ 1,141.26
MPEX		1	\$ 2,000.00	\$ 2,000.00
Adager		1	\$ 6,500.00	\$ 6,500.00
TOTAL				\$81,783.22

As a result of an investigation by the Contract Officer, it was determined that all of the items listed in this memo were available from Hewlett-Packard against the University of Maryland Contract CB-595.

The HP 3000 hardware peripherals and software items may be obtained against the University of Maryland Contract at a 17% discount off list price.

The Daisy Wheel Printers may be obtained from an independent dealer at a discount of 30% vs. 28% off list offered by Hewlett-Packard; however, this would result in a savings of only \$70.00.

The HP 150 personal computers are also available from an independent dealer at a discount of 30% vs. 28% off list offered by Hewlett-Packard; however, this would result in a savings of only approximately \$360.00. The cost to the City to process a separate Purchase Order is between \$50-\$100 and the cost to issue an Invitation to Bid would negate the balance of any savings otherwise available if the City were to independently bid the HP 150's.

The City may purchase the above-referenced computer equipment and software against the University of Maryland Contract CB-595 for the following reason:

Hewlett-Packard offers the items to other State of Maryland jurisdictions on the same terms as provided the University of Maryland. The pricing, terms, and conditions are obtained through a procurement process similar to the City of Rockville procedures.

Based on the above-referenced information, it may be determined that the cost of the required items is equal to or less than that which would otherwise be available to the City under its own procurement process and the City may purchase the required equipment against University of Maryland contract CB-595. The total cost to the City for this purchase is \$81,779.42.

It is the intent of the City to charge this equipment cost to a "suspense" account and to reimburse the account through a Finance Agreement in the near future. It is the intent of the City to competitively bid that Finance Agreement for the purpose of spreading the budgetary impact of this purchase over a five year period. The City has obtained almost all of its computer equipment under Lease-to-Purchase Financial Agreements.

The annual payment under a lease agreement would be approximately \$21,750 for five years.

On motion of Councilman Tyner, duly seconded and unanimously passed, the Mayor and Council approved the total purchase as recommended by the Director of Finance.

Re: Amendments to Retirement Plan: a) Reduce length of eligibility requirement; b) Eliminate death benefit restrictions

a) Reduce length of eligibility requirement

This amendment is to make employees eligible for participation in the Retirement Plan from the first day of employment rather than after six months. The reason for this amendment is that the probation period for new employees has been changed from six months to one year. It is unreasonable to ask employees to wait a full year before participating in the plan. This would have the effect of making employees wait 11 years before being vested (the current vesting period is 10 years - extending eligibility to one year would have the effect of extending it to 11 years). With the new probation period, six month eligibility no longer makes sense. Again, it is estimated that present funding is adequate to handle this change. There is no significant cost increase anticipated.

On motion of Councilman Duncan, duly seconded and unanimously passed, the Council approved the eligibility change.

b) Eliminate death benefit restrictions

This amendment is to eliminate the present requirement that an employee be married five years before a surviving spouse is eligible for death benefits under the plan. When the amendment is approved, a surviving spouse would be eligible for death benefits regardless of the length of time of the marriage. In addition, death benefits will be payable to children under the age of 18 if there is no spouse. This change was recommended by Edward H. Friend & Company, the City's retirement consultants. Staff estimates that present funding of the plan is adequate to handle the cost of this amendment. Therefore, there will be no additional cost for this benefit change.

On motion of Councilman Duncan, duly seconded and unanimously passed, the Mayor and Council approved the elimination of death benefit restriction.

Re: Study of Summit Apartments Sale

The CDHA office has examined the United Church Center (UCC) proposal for the study of the Summit Apartments sale. In making this examination, staff also had benefit of a January 3, 1984, memorandum from Mansfield M. Kaseman, Executive Director of the United Church Center to prospective bidders regarding the profile and the monitoring of Summit Apartment displacement activities and discussed the proposal with Mr. Kaseman.

Basically, the UCC proposal is divided into two parts. The first section is to be a history of the Summit Apartments, a description of the circumstances of the seller, the buyer, and the process by which the sale was negotiated and consummated. An explanation of the method of financing and the City's role in the financing is also to be included.

Staff has been advised by the UCC that the methodology of the program is felt somewhat unique and, therefore, it should be recorded and analyzed for consideration by other communities. The UCC proposes to employ the Metropolitan Washington Planning and Housing Association to undertake the study at a cost of approximately \$10,000.

The second part of the proposal calls for the creation of a profile of Summit Apartment residents, monitoring their displacement by the Artery Organization and a follow-up as to their housing circumstances in the future. It is proposed that the second phase of the proposal be performed by the Community Housing Resources Board at a cost of approximately \$3,800.00.

In summary, the proposal of the United Church Center would provide a history of the activities associated with the Summit Apartments project including its effect on the families. There is, however, nothing unusual about the project that would make it a natural benchmark in the housing field. There is "in-house" capability to do the type of work described by use of interns, regular staff, board members, etc. If extra effort and/or money is to be expended at Summit, it is the recommendation of this office that the tenants should be assisted and not studied.

The Council discussed this proposal at length. Councilman Tyner suggested that the City go ahead with the Study as proposed. He commented that the study would have great validity done by a non-partisan, non-profit organization. Councilman Abrams seconded Councilman Tyner's idea. Councilwoman Hovsepian said she should abstain since she is a member of the Executive Board of the United Church Center.

On motion of Councilman Tyner, duly seconded and passed by unanimous vote of all voting, (Councilwoman Hovsepian abstaining) approval was given to the study of the Summit Apartment Sale contingent on the County's approval of \$10,000 for the remainder of the proposal. Councilman Duncan commented that the relocation study could be done by the Human Rights Commission even without the County's participation.

Re: Approval of sales contract
for Maryvale School
property

This is an "Offer of Agreement" with Impara and Wire, Inc., regarding the sale of part of the former Maryvale Elementary School Site for construction of moderately priced housing. This agreement is a culmination of a City-wide effort initiated in

December 1982 when the Mayor and Council decided to acquire the site and demolish the deteriorating building. Impara and Wire, Inc., was selected as the tentative developer by the Mayor and Council after a review of submissions by several firms.

Special features of the agreement are outlined as follows:

1. Total purchase price \$101,000
2. Downpayment 10,000
3. Deferred purchase price (this amount will be repaid to the City in increments of \$4,550 plus interest (9.5%) to coincide with the sale of each of the 20 units) 91,000
4. The agreement is contingent upon the developer's ability to obtain a construction loan in a sufficient amount to undertake development of the project.
5. The property sold will consist of 2.67 acres
6. Settlement will occur on or before October 1, 1984
7. Construction of the moderately priced housing units will begin one month after the settlement date. All 20 units must be completed within 20 months from the date construction commences.
8. The developer shall use its best efforts to price the housing units so that a household earning \$33,900 or less can afford to purchase a unit with available mortgaging financing. The purchaser shall also use its best efforts to sell the unit to first time homebuyers. Marketing emphasis shall be given to selling the units to Rockville residents and people employed in Rockville. Each of the units must be sold to owner/occupants only.
9. Fourteen 3-bedroom and six 2-bedroom units are to be developed within three clusters in accordance with plans previously reviewed by the Mayor and Council.
10. The resale price of each unit sold will be controlled for a period of ten years from the date of the original sale to coincide with increases in median prices houses in Montgomery County.

The "Offer of Agreement" has been reviewed by the Office of the City Attorney as to form and content. The Impara and Wire's proposed development of twenty (20) moderately price units in a clustered design fulfills the goal of the Maryvale housing project. It is, therefore, recommended that the Mayor and Council approve the "Offer of Agreement" with Impara and Wire, Inc.

Councilman Tyner asked how long the covenants run with property. Mr. Horne said they have not been addressed, initially they must be occupied by an owner. After one year there is always the possibility of going to speculation. The Housing Opportunities Commission insists that it must be five year owner's occupancy, however, that is handled differently since they assist in the financing. Councilman Tyner suggested that the City Attorney place language in the document to address the matter. Councilwoman Hovsepien agreed. She said the City would like to have every assurance that the properties will be owner occupied for a good period of time.

On motion of Councilman Duncan, duly seconded and unanimously passed the contract was approved and the City Manager was authorized to sign it.

Re: Information Items

The Mayor and Council noted the following items of information:

1. Press release from Tribune United
2. Memo from CDHA re Summit Apartments
3. Recommendations from SCTF re entrance signs
4. Contract awards \$7,500 - \$20,000 10/83 - 12/83
5. City policy for moving fire hydrants

The Council discussed the hydrant policy at length since it seems that the preliminary cost estimates were exorbitant. The City Manager was asked to return to the Mayor and Council with the exact costs since it might be possible that there would be participation by the owners when all the costs are in including street cuts and movement and driveway location.

6. Del. Gordon letter to Secretary Bridwell
7. HRC letter to RHA

Councilwoman Hovsepian said she would like to see positive procedures come from the Housing Authority and possibly a work session would be in order soon with the Human Rights Commission and the Housing Authority.

8. Monthly report from SCTF
9. Rock Creek Amateur Radio Association letter
10. Information on Safeway Store in Twinbrook

Councilwoman Hovsepian said this is good news that the Safeway store is not moving. Councilman Duncan suggested that the staff talk to Safeway about the land adjacent to the Shopping Center belonging to the City so they might expand.

11. Information on Reuse of Congressional Elementary School
12. Copy of agreement with Montgomery County for new pool
13. Testimony on Tillie Frank legislation

Re: New Business

1. Councilwoman Hovsepian asked what part the City is taking in the commemoration of Maryland's 350th anniversary. The Clerk noted the anniversary would be reflected in the Memorial Day Parade Theme, Rockville Day, the flag raising and a camp out ceremony at the Beall Dawson House this summer.

2. Councilwoman Hovsepian said she met today with the people from the United Church, the neighborhood and the City staff concerning the sale of Church property. There will be another meeting in two weeks. In the meantime, the Twinbrook citizens Association will do a survey of the children in the neighborhood for possible park use. It may be a chance to lease a small portion of the grounds for a summer program.

3. Councilman Duncan asked that a follow up letter be sent to the Montgomery County Council concerning the renovations to Twinbrook Elementary School in the CIP.

4. The Clerk submitted a status report on the Raise the Flag project to the Council noting the American Legion will be coordinating the fund drive. The Mayor and Council approved the process.

5. Mayor Freeland noted that he had received a call from the treasurer of the Sister City Organization, Councilman Hanna and the Sister City Organization is purchasing a building in D.C. and is asking a \$1,000 contribution from the member organizations. The Council agreed to the \$1,000 donation.

6. Mayor Freeland noted the Tribune/United Cable Company is eliminating Tier 3 service and those prices will now be reflected in Tier 2.

Re: Approval of Minutes

On motion of Councilman Abrams, duly seconded and unanimously passed, the Minutes of Meeting No. 5-84, February 27, 1984, were approved as amended.

Re: Adjournment

There being no further business to come before the Council in general session, the meeting was adjourned at 11:40 p.m. to convene again in general session on Monday, April 9, 1984, or at the call of the Mayor.